

9-803.

[Section 31-4-22 NMSA 1978]

STATE OF NEW MEXICO
COUNTY OF _____
_____ COURT

STATE OF NEW MEXICO,

v.

No. _____

_____, Defendant

WAIVER OF EXTRADITION

I, _____, in open court do hereby freely and voluntarily state that I am the identical _____, against whom a criminal proceeding charging me with _____ has been initiated in the county of _____, State of _____, and I further hereby freely, voluntarily without threats or promises of reward agree to return to that county and state, without legal process.

I further acknowledge that I will be held without bond while awaiting the agent of the State of _____ to take me into custody.

I further acknowledge that I have been informed of my rights to legal counsel, to require the issuance and service of a warrant of extradition as provided in Section 31-4-22 NMSA 1978 and my right to contest said warrant of extradition through a writ of habeas corpus as provided in Section 31-4-10 NMSA 1978.

This waiver is not an admission of guilt. I agree to return to the State of _____, with any peace officer who may be sent to take me to that state for trial.

This statement and waiver (made in quadruplicate), done at _____ County, New Mexico, this ____ day of _____, _____, in the presence of a judge of the _____ Court of that county.

Attorney for Defendant

Defendant

Assistant District Attorney

I hereby certify that the foregoing was executed in my presence and that I informed the defendant of his rights to require the issuance and service of a warrant of extradition as provided by the laws of New Mexico, and his right to contest said warrant of extradition

through a writ of habeas corpus. I do hereby direct the officer having such person in custody to deliver forthwith such person to the duly accredited agent of the demanding state, together with a copy of this waiver, and that the original hereof shall forthwith be forwarded to the office of the governor of the State of New Mexico for filing.

Judge

Original - Governor
2nd & 3rd - Agent
4th - File

[Approved, effective July 1, 1982.]